UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,041	06/14/2000	David A. Monroe	081829.000024	8178

7590 09/23/2004

Robert C Curfiss
Jackson Walker LLP
112 E Pecan
Suite 2100
San Antonio, TX 78205

EXAMINER	
RAO, ANAND SHASHIKANT	
ART UNIT	**PAPER NUMBER**
2613	10

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/594,041	Applicant(s) MONROE, DAVID A.
	Examiner Andy S. Rao	Art Unit 2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-177* is/are pending in the application.

4a) Of the above claim(s) *35-177* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1-34 as depicted in figures 10-42 in the reply filed on 7/6/04 as Paper 9 is acknowledged.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by DaGraca et al., (hereinafter referred to as "DaGraca").

DaGraca discloses a comprehensive, IP network compatible, multimedia surveillance and security system comprising a plurality of sensor appliances adapted to be connected to a network based server for monitoring, logging, and transmitting data to the server in order to permit comprehensive surveillance of a predetermined area, the system (DaGraca: figure 2) comprising: a conventional security sensor which is activated by the occurrence of an activating even and upon activation generates a signal (DaGraca: column 5, lines 40-55); a converter for converting the conventional sensor signal into a network compatible signal and adapted for sending the converted signal via network to the server (DaGraca: column 5, lines 25-47); and a surveillance sensor appliance controlled by the server for monitoring an area and generating a signal indicating a condition in the monitored area in a programmed response mode controlled by the server, whereby the server receives and logs data transmitted by both the conventional sensor and the sensor appliance (DaGraca: column 7, lines 1-20), as in claim 1.

Regarding claim 2, DaGraca discloses the sensor device includes a monitoring device for monitoring an area (DaGraca: column 11, lines 35-45); an activation mechanism for activating the sensor appliance to generate a monitoring signal and a transmitter for sending the monitoring signal to the server (DaGraca: column 12, lines 30-45), as in the claim.

Regarding claims 3-5, DaGraca discloses an on-board memory for collecting and storing monitoring signal data as it is generated (DaGraca: column 6, lines 15-27); and a transmission control device for selectively transmitting the collected data and stored transmission data to the server (DaGraca: column 4, lines 35-43), as in the claims.

Regarding claims 6-7, DaGraca discloses transmitting both pre-event and post-even data upon the occurrence of an event (DaGraca: column 11, lines 50-60), as in the claims.

Regarding claims 8-11, DaGraca discloses an imaging sensor for collecting and generating an image signal (DaGraca: column 7, lines 10-20), as in the claims.

Regarding claim 12, DaGraca discloses an audio sensor for generating an audio signal in the zone of operation of the sensor appliance (DaGraca: column 11, lines 40-45), as in the claim.

Regarding claims 13-18, DaGraca discloses an environmental sensor for collecting and generating an environmental condition signal in the zone of operation of the sensor appliance (DaGraca: column 5, lines 15-20), as in the claims.

DaGraca discloses a comprehensive, IP network compatible, multimedia surveillance and security system comprising a plurality of sensor appliances adapted to be connected to a network based server for monitoring, logging, and transmitting data to the server in order to permit comprehensive surveillance of a predetermined area, the system (DaGraca: figure 2) comprising: a multi-function image sensor adapted for generating an image signal representing the visual condition of a monitored zone of operation (DaGraca: column 4, lines 34-41), the image signal comprising both still frame and motion video data (DaGraca: column 7, lines 45-60); a converter for converting the conventional sensor signal into a network compatible signal and adapted for

sending the converted signal via the network to the server (DaGraca: column 4, lines 60-67); and a transmitter sending data to the server (DaGraca: column 5, lines 50-55), as in claim 18.

Regarding claim 19, DaGraca discloses that the multi-function image sensor is response to an event in order to begin transmitting image data to the server (DaGraca: column 6, lines 25-30), as in the claim.

Regarding claim 20, DaGraca discloses that the multi-function image sensor is response to a signal generated by the server in order to begin transmitting image data to the server (DaGraca: column 6, lines 60-67), as in the claim.

Regarding claims 21, DaGraca discloses that the multi-function image sensor is appliance is responsive to a signal generating and transmitting activation signal for transmitting both pre-event and post-event data (DaGraca: column 11, lines 50-60), as in the claim.

Regarding claim 22, DaGraca discloses that the server is adapted for mining the image data stored in the sensor memory (DaGraca: column 6, lines 15-27), as in the claim.

Regarding claim 23, DaGraca discloses that the sensor appliance includes a receiver for receiving control signals from the server for activating the sensor, initiating and terminating transmission of data to the server and for managing control functions (DaGraca: column 11, lines 55-67), as in the claim.

Regarding claim 24, DaGraca discloses that the sensor appliance includes a wireless transmitter and the server includes a wireless receiver, whereby data transmission is over the wireless system (DaGraca: column 4, lines 38-41), as in the claim.

DaGraca discloses a comprehensive, IP network compatible, multimedia surveillance and security system comprising a plurality of sensor appliances adapted to be connected to a network

based server for monitoring, logging, and transmitting data to the server in order to permit comprehensive surveillance of a predetermined area, the system (DaGraca: figure 2) comprising: a plurality of surveillance sensor appliances controlled by the server for monitoring an area and generating a data signal indicating a condition in the monitored area controlled by the server, whereby the server receives and logs signal data (DaGraca: column 5, lines 40-55); each sensor appliance adapted for transmitting the generated signal (DaGraca: column 4, lines 34-41); a network for communicating the plurality of sensor appliances with a central server (DaGraca: column 6, lines 60-67); the central server adapted for collecting and managing the data transmitted by the plurality of sensor appliances (DaGraca: column 6, lines 25-40), as in claim 25.

Regarding claim 26, DaGraca discloses a monitor for displaying the data (DaGraca: column 6, lines 34-40), as in the claim.

Regarding claim 27, DaGraca discloses that the plurality of sensor appliances are image data generators (DaGraca: column 4, lines 30-35), as in the claim.

Regarding claims 28-30, DaGraca discloses a memory for collecting and storing monitoring signal data as it is generated (DaGraca: column 6, lines 15-27), as in the claims

Regarding claim 31, DaGraca discloses transmitting both pre-event and post-even data upon the occurrence of an event (DaGraca: column 11, lines 50-60), as in the claim.

Regarding claims 32-34, DaGraca discloses a dispatch generator generating a dispatch signal (DaGraca: column 6, lines 25-40), as in the claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Aviv discloses an abnormality detection surveillance system. Pomerleau discloses a trainable security system method for the same. Lemons discloses an integrated security system. Courtney discloses a motion based event detection system and method. Brill discloses a method and system for defining and recognizing complex events in a video sequence.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (703)-305-4813. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S. Kelley can be reached on (703)-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andy S. Rao
Primary Examiner
Art Unit 2613

ANDY RAO
PRIMARY EXAMINER

asr
September 20, 2004